IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

WP(C).No. 27205 of 2007(L)

PETITIONER:

K.J.VINCENT, ISNTRUCTOR GRADE-11.
GOVERNMENT COLLEGE OF ENGINEERING,
KANNUR.

BY ADV. SRI.P.M.PAREETH

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY
SECRETARY TO GOVERNMENT, HIGHER EDUCATION
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 27205 OF 2007 - L

Dated this the 13th day of September, 2007

J U D G M E N T

The petitioner is working as Instructor Grade-II in the Government College of Engineering, Kannur. While the petitioner was earlier working in Sree Rama Polytechnic, the petitioner was suspended from service on 9.3.2002 pending a criminal case. Later on, the petitioner was acquitted in the criminal case, and he was directed to be reinstated in service as per Ext.P2. The petitioner continued under suspension from 9.3.2002 to 25.2.2005. By Ext.P3, the second respondent ordered that the suspension period would be treated as duty for all purposes, except for pay and allowances and earned leave. The petitioner contends that since the petitioner has been acquitted of all charges, he is entitled to all service benefits during the suspension period. Claiming the same, the petitioner has filed Ext.P4 representation and he seeks a direction to the first respondent to consider and pass appropriate orders on Ext.P4, expeditiously.

2. I have heard the learned Government Pleader also.

3. In the facts and circumstances of the case, there would be a direction to the first respondent to consider and dispose of Ext.P4, as expeditiously as possible, at any rate within a period of two months from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to the petitioner.

The writ petition is disposed of with the above direction.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J.

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007